

REMARKS

The application has been amended to make an editorial change in the specification on page 11, changing "Fig. 3" to "Fig. 5" consistent with what is shown in Fig. 5 and described in the relevant passage on page 11, lines 11-14.

Claims 1-20 are pending in the application.

Claims 1-20 are rejected as unpatentable over EP 0 286 538 to PIGNEUL, EP 0 302 382 to LLOYD et al. or FREIBURGER et al. 5,516,000, each in view of UNDERHILL et al. 5,300,347. This rejection is respectfully traversed.

Claim 1 is amended and recites that a plurality of interfolded sheets are single ply absorbent sheets having an embossed surface relief of a predetermined pattern or design.

The Official Action offers either PIGNEUL, LLOYD or FREIBURGER as teaching plural interfolded absorbent sheets. The Official Action further offers UNDERHILL as teaching embossing absorbent sheets. The conclusion set forth in the Official Action is that it would have been obvious to emboss the sheets of any one of the primary references in view of the teachings of UNDERHILL to provide a desired decorative effect.

The conclusion set forth in the Official Action is believed to be untenable for at least the following reasons.

Based on the teachings of UNDERHILL, one of ordinary skill in the art would not have been motivated to modify any of the primary references in the manner suggested.

UNDERHILL at column 1, lines 17-33 teach that embossing facial tissues is relatively rare and that facial tissue has historically remained unaltered from their base sheets. UNDERHILL at column 2, lines 7-9 further teach that when facial tissue is embossed, such embossing is performed on two or more plies.

Thus, to the extent that the skilled artisan would have considered UNDERHILL together with the primary references in the first instance (a point applicants dispute based on the rarity of embossing facial tissue), nevertheless, the disclosure of UNDERHILL would at most lead a skilled artisan to emboss a facial tissue having two or more sheets or plies.

Accordingly, the proposed combination of references would at best produce a plurality of embossed multi-ply sheets, not a plurality of single ply absorbent sheets as recited. Therefore, the proposed combination of references would not have been sufficient to render obvious claim 1.

Claims 2-20 depend from claim 1 and further define the invention and are also believed patentable over the cited prior art.

In addition, claims 2-5 include limitations directed to the basis weight of a single ply paper napkin. To the extent

that a skilled artisan would have considered the cited references in combination with respect to a single ply absorbent sheet product, which, as set forth above, the skilled artisan would not have been motivated to do, nonetheless, the teachings of the prior art as reflected by ANDERSON et al. 6,096,152 (a copy is submitted herewith for the Examiner's convenience) would further dissuade the skilled artisan from combining the references in any such manner.

ANDERSON et al. at column 3, lines 17-20 teach using a single ply soft tissue having a basis weight of from about 20 to 25 pounds. ANDERSON discloses this basis weight range in order to have a sufficient softness and improved wet strength (desirable characteristics of a facial tissue) as taught at column 9, line 65 through column 10, line 5. Therefore, even if the skilled artisan were motivated to choose a single ply absorbent sheet, in the first instance, nevertheless the skilled artisan would choose a sheet having a basis weight from about 20 pounds to about 25 pounds in order to have a sufficient softness and improved wet strength.

The skilled artisan would not have been motivated to choose a single ply absorbent napkin having a basis weight of from 10 to 20 as recited in claim 2 or from 11 to 17 as recited in claim 3, or 12 to 15 as recited in claim 4, or 13 pounds as recited in claim 5, because as taught by ANDERSON, in order to

have a sufficient softness and improved wet strength the basis weight should be between 20 and 25.

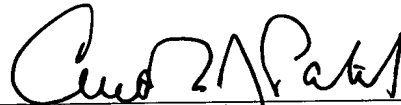
Accordingly, for the reasons set forth above, claims 2-5 are believed patentable independent of the patentability of claim 1 from which they depend.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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